

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

FLORENCE T. NAKAKUNI #2286  
Chief, Narcotics Section

MARK A. INCIONG #163443  
Assistant U.S. Attorney  
Room 6100, PJKK Federal Building  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850  
Facsimile: (808) 541-2958  
E-mail: mark.inciong@usdoj.gov

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                            |   |                          |
|----------------------------|---|--------------------------|
| UNITED STATES OF AMERICA,  | ) | CR. NO. 05-00106 HG      |
|                            | ) |                          |
| Plaintiff,                 | ) | STIPULATION AND ORDER    |
|                            | ) | CONTINUING TRIAL AND TO  |
| vs.                        | ) | EXCLUDE TIME             |
| HOLLY KOLIOPOULOS, (2)     | ) |                          |
| ARTHUR KIYOSHI HIDANO, (3) | ) | OLD TRIAL DATE: 01/18/06 |
|                            | ) | NEW TRIAL DATE: 05/16/06 |
| Defendants.                | ) |                          |
|                            | ) |                          |

STIPULATION AND ORDER  
CONTINUING TRIAL AND TO EXCLUDE TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that the jury trial presently scheduled for January 18, 2006, be continued to May 16, 2006 at 9:00 a.m. before the Honorable Helen Gillmor. Final Pretrial Conferences are set for April 17, 2006 at 10:00 a.m. before Magistrate Judge Barry M. Kurren and May 8, 2006 at 8:30 a.m. before the Honorable Helen Gillmor. Defendants' motions are due April 4, 2006, and the Government's response are due April 18, 2006.

The reason for the continuance is a First Superseding Indictment was returned in this matter on December 15, 2005 which added new substantive charges as well as a new Defendant (Arthur Kiyoshi Hidano). Consequently, counsel for the Defendants require additional time to review discovery in this matter as well as to pursue a negotiated disposition of the charges.

Thus, counsel for all parties have requested the continuance so that defense counsel may have adequate time to review discovery, confer with their clients and exercise due diligence so that they can effectively represent the Defendants. The Government has no objection to a continuance of the trial date.

IT IS FURTHER STIPULATED AND AGREED by and between the parties and the Court finds that the period beginning January 18, 2006, to and including May 16, 2006, be excluded from the computations required by the Speedy Trial Act, Title 18, United States Code, Section 3161. The Court finds that the ends of justice outweigh the best interest of the public and the Defendants in a speedy trial because the continuance allows counsel for Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due

\\

\\

\\

\\

\\

\\

\\

\\

diligence in accordance with 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS SO STIPULATED.

DATED: Honolulu, Hawaii, January 18, 2006.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Mark A. Inciong  
MARK A. INCIONG  
Assistant U.S. Attorney

/s/ Pamela E. Tamashiro  
PAMELA E. TAMASHIRO, ESQ.  
Attorney for Defendant  
ARTHUR KIYOSHI HIDANO

/s/ Harlan Kimura  
HARLAN KIMURA, ESQ.  
Attorney for Defendant  
HOLLY KOLIOPOULOS

IT IS SO APPROVED AND ORDERED:

DATED: Honolulu, Hawaii, February 2, 2006.



  
\_\_\_\_\_  
Helen Gillmor  
Chief United States District Judge

United States v. Koliopoulos & Hidano; Cr. No. 05-00106 HG  
"Stipulation and Order Continuing Trial and to Exclude Time"